

## REMARKS

In the patent application, claims 1-46 are pending. In the office action, pending claims 1, 2, 4, 5, 7-18, 20-22, 24-30, 32, 34, 35, and 37-46 are rejected. Claims 3, 6, 19, 23, 31, 33, and 36 are objected to as being dependent on a rejected base claim. Applicant wishes to thank the Examiner for the acceptance of these claims.

### Priority

In the details of the September 5, 2003 Office Action, the Examiner states that no claim for priority has been made in this application. The applicant respectfully disagrees with this statement, pointing out that the second paragraph of the application lists that this application as continuation in part of several applications: "This application is a ... continuation-in-part of U.S. Patent Application No. 09/303,458, which is a continuation-in-part of U.S. Patent Application No. 08/927,005." The Applicant has amended the Application to place the "Related Applications" section as the first sentence after the Title in accordance with 37 C.F.R. §1.78. Accordingly, the Applicant respectfully submits the effective filing date(s) of the Application are as set forth in the "Related Applications" section.

Applicant notes the Office Action states that the effective filing date (i.e., in the perceived absence of a claim of priority) is September 9, 2000. However, the present application was filed on August 9, 2000. Moreover, as set forth in the "Related Applications" section of the Application, the Application may have varying priority dates based upon the specific claim or element at issue.

### Drawings

The Examiner has objected to certain of the drawings in the present Application. In the present Amendment, Applicant has modified the drawings to overcome the Examiner's objections. In view of the changes to the drawings, Applicant respectfully submits the Examiner's objections are moot and the drawings are now in condition for acceptance. In particular, Figure 1 has been modified to include the User 2 as originally

drawn in Figures 2 and 4. Figure 2 has been modified to identify the User as 2. The additional issues that the Examiner cited have been addressed in the Specification section below. Figure 3 has been modified to use the term Network for item 14. Also, Figures 3 and 4 have been modified to include the Language Editor 39 as described in the specification. Applicant respectfully submits support for the changes to the drawings can be found in the specification, and no new matter has been added.

### Specification

In the present Amendment, Applicant has modified the specification to overcome the Examiner's objections. Specifically, the bolding and underlining has been removed from the section headings throughout the specification. In addition, numerous typographical errors in the specification to Figures and References have been corrected. Paragraphs 24, 25, and 33 have been added to further describe the information found in the Figures. In view of the Amendments, Applicant respectfully submits the Examiner's objections are moot and the specification is now in condition for acceptance. Applicant respectfully submits support for the Amendments to the specification is found in the drawings as originally filed and no new matter has been added to the application.

### Claims

The Examiner has rejected claims 1, 2, 7-18, 20, 24-30, 32, and 37-46 under 35 U.S.C. 103(a) as being obvious over Papadopoulos (US Patent 6,587,884, hereafter called the '884 patent to avoid confusion with other Papadopoulos patents cited herein) in light of Steen (US Patent 6,510,350). Applicant respectfully traverses this rejection.

The cited material in the primary reference relied upon by the Examiner (i.e., the '884 patent) is not prior art to the present application. Both the '884 patent and the present application are continuations-in-part of U.S. Patent Application No. 09/303,458, now U.S. Patent 6,151,625, which is a continuation-in-part of U.S. Patent Application No. 08/927,005, now U.S. Patent 6,282,454. These parent applications contain the disclosure cited by the Examiner.

Specifically, the Examiner rejects independent claims 1, 17, and 30 based on the disclosure of Figure 1, Figure 3, column 3, lines 23-32 and column 3, lines 62-64 of the '884 patent. Examination of Figures 1 and 3 of the '884 patent show that they are the

same as Figures 1 and 3 in the '625 patent and the '454 patent in all instances relevant to the present discussion. Additionally, the wording of column 3, lines 23-32 of the '884 patent is identical to that in the '625 patent at column 3, lines 39-48 and the '454 patent at column 3, lines 32-39. The wording of column 3, lines 62-64 of the '884 patent is also identical to that in the '625 patent at column 4, line 9-11, and the '454 patent at column 3, line 62-65. Therefore, the rejection is based upon information in the parent patents that have the same inventor as the present application, and is thus improper because it was not patented by "another" as required by 35 U.S.C. 102.

Furthermore, both the present invention and the '884 patent were commonly owned at the time of the invention. According to the 35 USC 103(c),

(c) Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

The subject application was filed on August 9, 2000, after the November 29, 1999 applicability date of 35 U.S.C. 103(c), and is thus subject to this section of this law.

Proof of common ownership can be seen in the USPTO Assignment Database and in the attached 37 CFR 1.131 Affidavit of Richard A. Baker, Jr. The '884 patent was owned by Schneider Automation Inc. on the invention filing date of the present application and is still owned by Schneider Automation Inc. The present application is also assigned to Schneider Automation Inc.

In view of the above, Applicant respectfully submits that claims 1-2, 7-18, 20, 24-30, 32, and 37-46 are patentable.

The Examiner has rejected claims 4-5, 21-22, and 34-35 under 35 U.S.C. §103(a) as being unpatentable over Papadopoulos in view of Steen as applied to claims 1, 2, 7-9, 11-16, and further in view of Saitoh et al. (U.S. Patent No. 6,038,486). Applicant respectfully traverses this rejection.

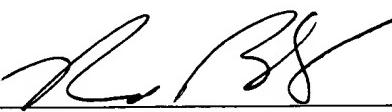
For the reasons given above, the primary reference relied upon by the Examiner (i.e., the '884 patent, or Papadopoulos) is not prior art to claims 1, 2, 7-9, and 11-16. Accordingly, Applicant respectfully submits claims 4-5, 21-22 and 34-35 are patentable.

**Conclusion**

Accordingly, Applicant respectfully submits that, in light of the above remarks, claims 1-46 are in condition for allowance. Applicant respectfully requests the Examiner to withdraw the rejections and to allow the claims to issue. The Commissioner is authorized to charge deposit account 19-3875 (SAA-34-1) for any fees associated herein.

Respectfully submitted,

By:



Richard A. Baker, Jr.

Reg. No. 48,124

Inventor

SCHNEIDER AUTOMATION INC.  
1415 South Roselle Road  
Palatine, IL 60067  
Telephone: 978-975-9789  
Facsimile: 847/925-7419

Annotated Marked-Up Drawing

1/6

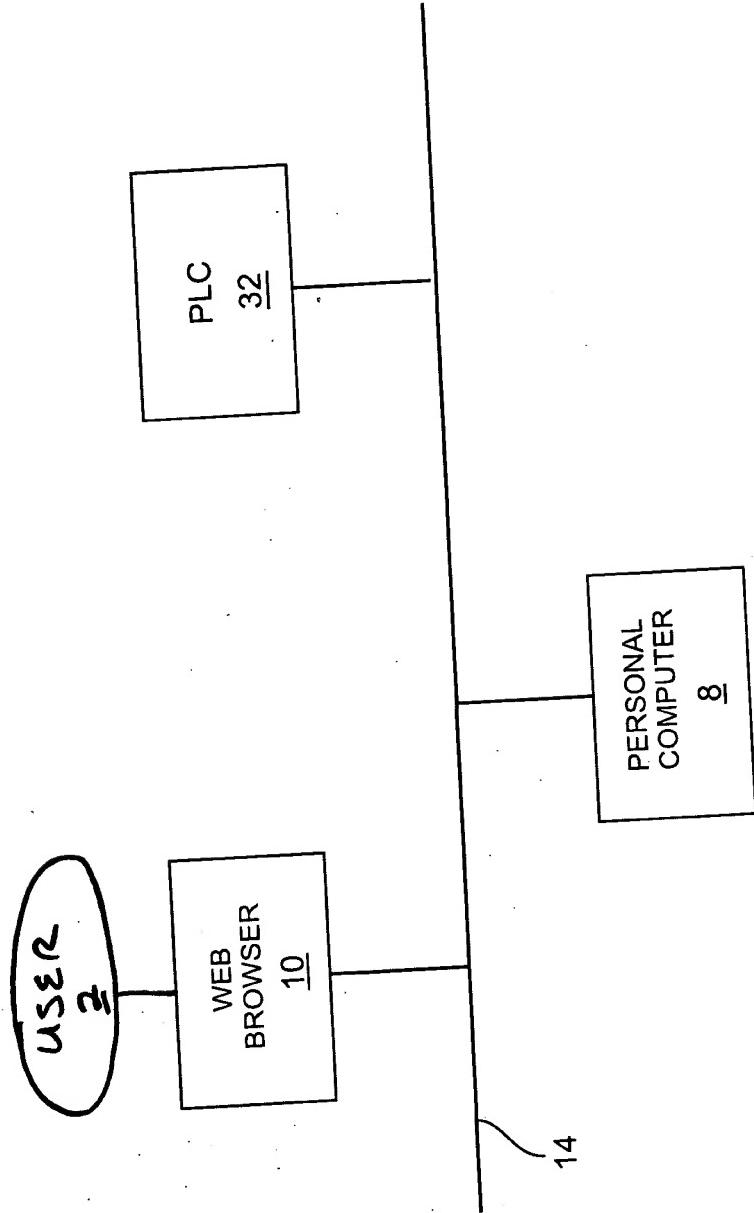
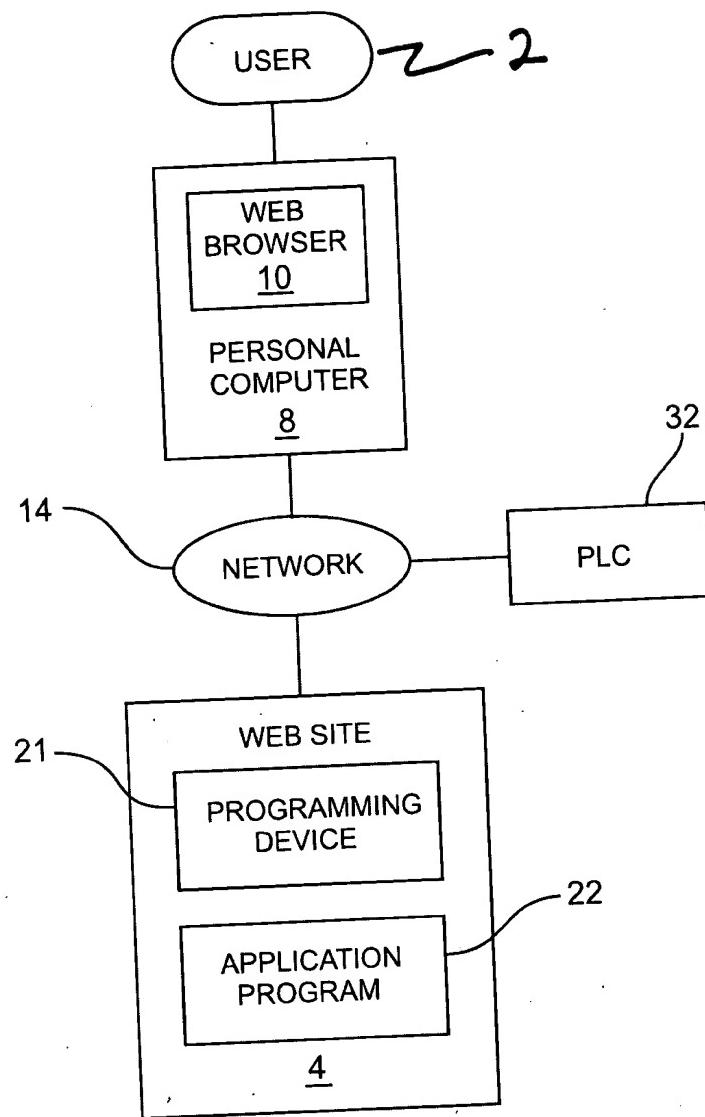


Fig. 1

Annotated Marked-Up Drawing



2/6



*Fig. 2*

Annotated Marked-Up Drawing



3/6

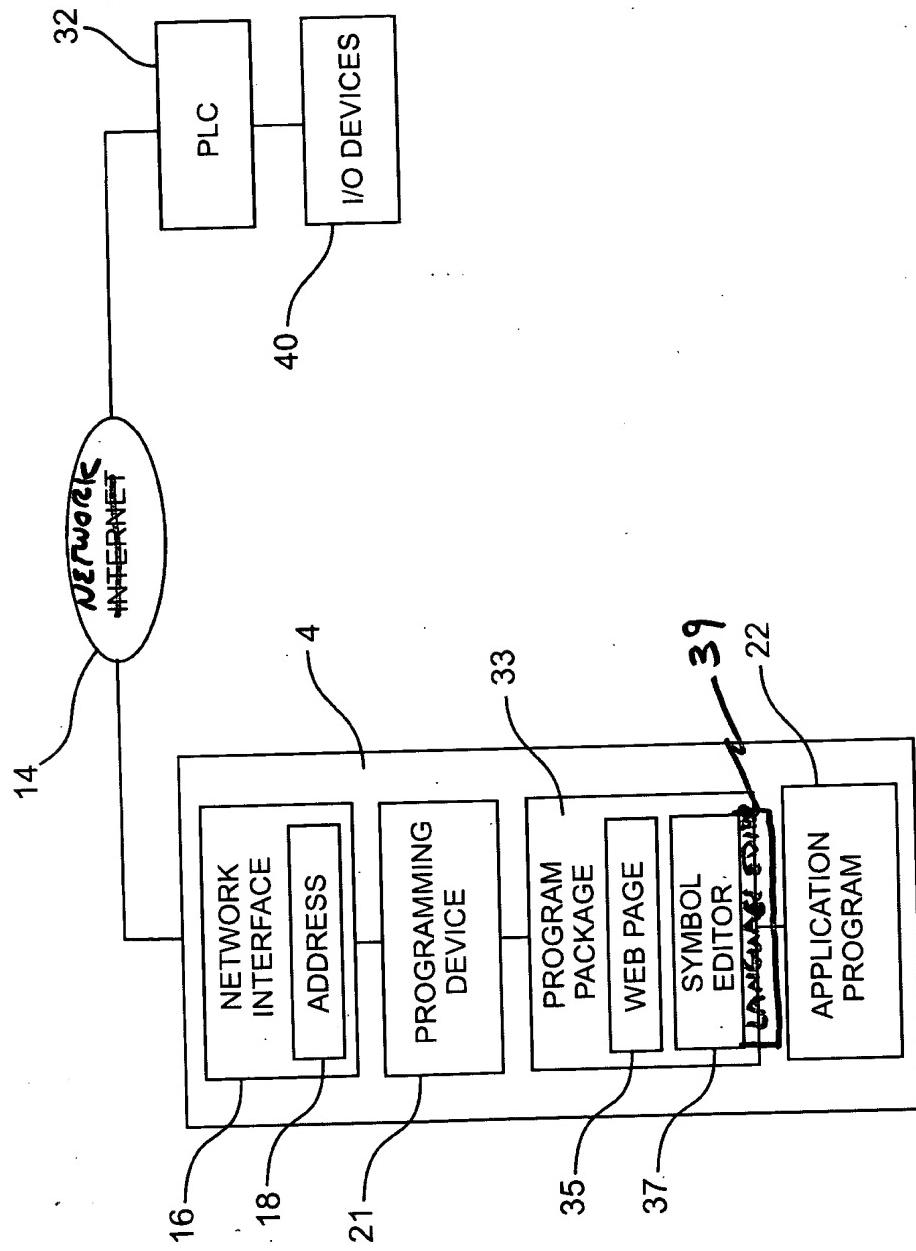


Fig. 3

Annotated Marked-Up Drawing



4/6

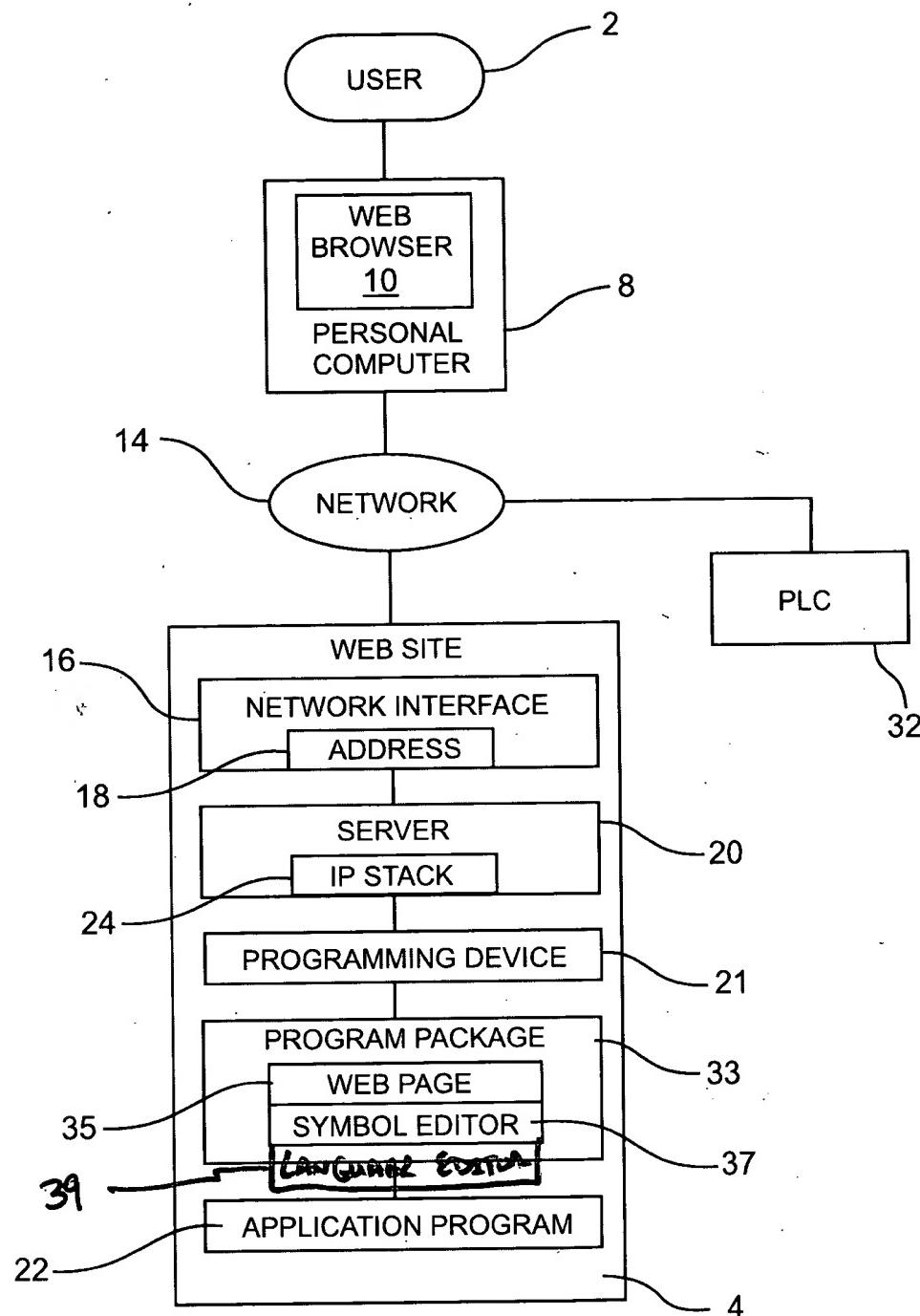


Fig. 4